REMARKS

Claim Rejections – 35 U.S.C. § 112

The Examiner has rejected claims 1, 4, and 7 under 35 U.S.C §112, first

paragraph, as failing to comply with the written description requirement. Applicants

have amended claims 1, 4, and 7 to comply with 35 U.S.C §112, first paragraph. Thus,

Applicants respectfully request withdrawal of the 35 U.S.C. 112, first paragraph rejection

of claims 1, 4, and 7.

Claim Rejections – 35 U.S.C. § 102

The Examiner has rejected claims 1-4 and 7-10 under 35 U.S.C §102, as being

anticipated by Sabaa et al. ("Sabaa") (U.S. Patent No. 6,389,016). For the reasons set

forth below, Applicants assert that the cited reference fails to teach or render obvious

Applicants' invention as claimed in claims 1-4 and 7-10.

37 CFR 1.104(c)(2) states that "In rejecting claims for want of novelty or for

obviousness, the examiner must cite the best references at his or her command. When a

reference is complex..., the particular part relied on must be designated as nearly as

practicable." Furthermore, MPEP §706 states in part that "[t]he goal of examination is to

clearly articulate any rejection early in the prosecution process so that the Applicants

have the opportunity to provide evidence of patentability and otherwise reply completely

at the earliest opportunity." The Examiner has referenced a known piece of prior art

(Sabaa) but has not specifically pointed out where in the art Applicants' presently

claimed invention is anticipated. Specifically, Examiner rejects Applicants' claim 1 and states "Sabaa discloses in column 2, lines 47 to column 25... of a method of transporting data between a sending entity and a receiving entity over a data communication system..." This line and column reference to Sabaa's specification not only covers Sabaa's entire detailed description and all of Sabaa's claims, but actually references many columns that do not even exist considering the <u>Sabaa</u> reference is 18 columns long in total. Applicants request increased specificity of Examiner's U.S.C §102(e) rejection under the 37 CFR 1.104(c)(2) rule that requires the designation of the particular part relied upon when a reference is complex, such as <u>Sabaa</u>.

Additionally, Applicants respectfully disagree with Examiner's 102(e) arguments regarding <u>Sabaa</u>. <u>Sabaa</u> discloses a method "for transporting data between a sending entity and a receiving entity in which the complexity of the receiving entity is required to be low... A sending entity divides the data into a plurality of groups, each of which is segmented into packets. The sending entity sequentially transmits the packets of each group. A receiving entity receives sequentially the packets transmitted from the sending entity. When one or more packets are lost or collapsed during the transmission, an out-of-sequence packet is received. The receiving entity discards the out-of-sequence packet and sends a negative acknowledgement to the sending entity to request retransmission of the lost packet and the subsequent packets. No more negative acknowledgement is sent until an expected packet is received. When all packets of a group are correctly received, the receiving entity sends a positive acknowledgement to the sending entity." (Sabaa column 2, lines 43-62) Sabaa's method is specifically directed to a sequence of communication packets. When the sequence (or order) of the packets is interrupted then

subsequent packets are all discarded until the correct packet is sent and the sequence resumes.

With respect to independent claim 1 in the presently claimed invention, Applicants teach and claims "[a] method, comprising receiving a completion packet at a receiving device, the completion packet including a completor identification, determining whether the completion packet received from the identified completor is expected by the receiving device, and discarding the completion packet if the completion packet is not expected." The completion packet relates to a request originally sent by the requesting/receiving device. If the device did not make a request at some earlier point in time, and therefore a request is not outstanding, it discards the packet because it never requested the completion packet in the first place. This completion packet coupled with an earlier request has no bearing on a sequence of packets received by the receiving device. The receiving device does not have to maintain a sequence of packets nor does it have to determine whether the packets were out of order. This requirement in Sabaa creates excess sequential packet logic that has no bearing on Applicants' presently claimed invention.

Is not claimed

The Examiner attempts to relate Applicants' method of "discarding the completion packet if the completion packet is unexpected" with Sabaa's method of "discarding the received packet when the sequence number of the received packet does not match the expected sequence number." Sabaa's method focuses specifically on discarding a packet based on resolving whether a sequence of packets is correct. Conversely, Applicants' presently claimed invention focuses on discarding an unexpected completion packet. Applicants explain that "[a]n 'unexpected completion' occurs when

an agent receives a completion [packet] that does not correspond to any outstanding requests issued by that same agent." (Applicants' specification, page 21, lines 2-4) Applicants' receiving of an unexpected completion packet does not relate whatsoever to any particular form of ordering or sequencing of packets. The sequencing logic that is required in Sabaa's method is unnecessary and of no concern to Applicants' presently claimed invention. Thus, because Sabaa does not teach the presently claimed invention, Applicants respectfully submit that Sabaa does not anticipate claim 1.

Claims 2 and 3 are dependent upon independent claim 1. Thus, for at least the same reasons advanced above with respect to independent claim 1, Applicants respectfully submit that Sabaa does not anticipate claims 2 and 3.

With respect to independent claim 4 in the presently claimed invention, Applicants teach and claims "[a] method, comprising receiving a completion packet at a receiving device, the completion packet including a completion status and a completor identification, determining whether the completion packet includes a completion status other than successful, and storing the completor identification in a first register if the completion status is other than successful." Applicants' presently claimed invention utilizes a completion status field indicating the completion status from the completor. "The term 'completor' as used herein is meant to indicate a logical device addressed by a request packet header." (Applicants' specification, page 12, lines 15-16) The completor device receives the request from the requesting agent, attempts to satisfy the request, and then returns a completion packet (Applicants' Figure 8) with a completion status field indicating the status of the outstanding request. The completion status field in the completion packet contains one of a number of status indicators (Applicants'

specification, pages 15-16, Table 3) that are sent by the completor device to indicate the status of the request. Thus, the completor device reports the status of the request, utilizing this field, to the requesting agent.

The Examiner again attempts to explain that Sabaa's method of "reading a group number identifying a group and a sequence number of the received packet and comparing the sequence number with an expected sequence number of the group" is equivalent to having the completor device report the status of the request by sending a completion packet with a completion status field (where the completion status field is a status report from the completor device as to the status of the request from the requesting device). Applicants' method of "determining whether the completion packet includes a completion status other than successful" has no similarity to a receiving device having to determine a sequence number of each packet. In Applicants' method, the receiving device looks at the completion status sent by the completion device, it does not in any way determine the sequence of each incoming packet. Furthermore, Sabaa's method is performed on every packet, where as Applicants' entirely different method is performed only on completion packets. Again, Applicants' method, unlike Sabaa, does not require additional logic to determine the sequencing of all incoming packets and also does not require performing this work on all packets in general. Therefore, because Sabaa does not teach the presently claimed invention, Applicants respectfully submit that Sabaa does not anticipate claim 4.

With respect to independent claim 7 in the presently claimed invention, Applicants teach and claims "[a] method, comprising servicing a request packet from a requesting device at a completor device, the request packet including a requestor

identification and a tag, transmitting a completion packet with a completion status other than successful from the completor device to the requesting device if an error condition exists, and storing the requestor identification at a location in the completor device if the error condition exists." Applicants' method of "transmitting a completion packet with a completion status other than successful from the completor device to the requesting device if an error condition exists" is not similar to Sabaa's method. The Examiner once again attempts to show that this methodology is equivalent to "reading a group number identifying a group and a sequence number of the received packet and comparing the sequence number with an expected sequence number of the group." Not only is Applicants' method not equivalent to Sabaa, but the Examiner's referenced text from Sabaa refers to an entirely different device. The Examiner cites text from Sabaa that explains the logic of a receiving device, whereas Applicants' presently claimed invention in the cited language in claim 7 is referring specifically to the completor device. Applicants' completor device transmits a completion packet with a completion status other than successful if an error condition exists. On the other hand, the Examiner cites Sabaa's receiving device method of determining a sequence of packets. Thus, for the same reasons cited above with respect to Applicants' independent claims 1 and 4, as well as for the reason that Examiner is attempting to show equivalence but is confusing Applicants' completor device with Sabaa's receiving device, Sabaa does not teach the presently claimed invention. Therefore, because Sabaa does not teach the presently claimed invention, Applicants respectfully submit that Sabaa does not anticipate claim 7.

Furthermore, claims 8-10 are dependent upon independent claim 7. Thus, for at least the same reasons advanced above with respect to independent claim 7, Applicants respectfully submit that <u>Sabaa</u> does not anticipate claims 8-10.

As such, <u>Sabaa</u> does not teach or anticipate Applicants' invention as claimed in pending claims 1-4 and 7-10. Applicants respectfully request withdrawal of the 35 U.S.C. 102 rejection of claims 1-4 and 7-10.

Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 5 and 6 under 35 U.S.C §103(a) as being unpatentable over Sabaa et al. ("Sabaa") (U.S. Patent No. 6,389,016) in view of Matsumoto et al. ("Matsumoto") (U.S. Patent No. 5,414,717). For the same reasons set forth above in regard to <u>Sabaa</u> in view of the response to the 35 U.S.C §102 rejection, Applicants assert that the cited references fail to teach, suggest, or render obvious Applicants' invention as claimed in claims 5 and 6.

Claim 5 and 6 are dependent upon independent claim 4. Thus, for at least the same reasons advanced above with respect to independent claim 4, Applicants respectfully submit that <u>Sabaa</u> and <u>Matsumoto</u>, taken alone or in combination, do not render this dependent claim obvious.

Thus, <u>Sabaa</u> and <u>Matsumoto</u> do not teach, suggest, or render obvious Applicants' invention as claimed in pending claims 5 and 6. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 5 and 6.

If there are any additional charges, please charge Deposit Account No 02-2666.

If a telephone conference would facilitate the prosecution of this application, the

Examiner is invited to contact Michael J. Mallie at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 9/7/04

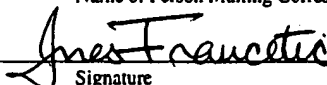Michael J. Mallie (Reg. No. 36,591)

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